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Docket No.: 10473-601

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
David Russell COBURN II, et al. : Confirmation Number: 8011
Application No.: 09/781,236 : Group Art Unit: 2142
Filed: February 13, 2001 : Allowed: December 21, 2004
Examiner: H. V. Nguyen
For: COMMON PLATFORM FOR USE IN AUTOMOTIVE SERVICES

**COMMENTS ON STATEMENT OF REASONS
FOR ALLOWANCE, UNDER 37 C.F.R. § 1.104(e)**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant received the Examiner's Statement of Reasons for Allowance with the December 21, 2004 Notices of Allowance and Allowability regarding the above identified application. Entry of the Statement of Reasons for Allowance into the record should not be construed as any agreement with or acquiescence by Applicant in the reasoning stated by the Examiner.

The Statement of Reasons for Allowance notes that the primary reason for allowance of the application is because all independent claims in the application include "under the control of the bootloader software, automatically downloading extension software into said common platform; executing the downloaded extension software; under the control of the downloaded extension software, determining the type of equipment sensor connected to said common platform; responsive to a result of the

determining step, downloading application software corresponding to the type of said equipment sensor to said common platform; and configuring said common platform to perform a predetermined function based on the downloaded application software,” which are not available in references made of record.

However, since the wording of the original independent claims is already clear in the record, references to portions thereof in the Statement are unnecessary and should not be construed as placing any particular emphasis on any or all of the words in the claims.

Furthermore, it is submitted that none of the allowed claims include the exact claim language as identified by the Examiner. Except for independent claim 1 which includes limitations substantially similar to those identified in Statement of Reasons for Allowance, independent claims 1, 11, 12, 16, 17, 23, 25, 41, 47, 48 and 51- 53 include either fewer limitations or limitations in different form. In either case, the references made of record do not teach or suggest the features of the allowed claims.

It is respectfully submitted that the allowed claims should be entitled to the broadest reasonable interpretation and the broadest range of equivalents that are appropriate in light of the language of the claims, the supporting disclosure and the prosecution history, without reference to the Examiner’s Statement of Reasons for Allowance.

09/781,236

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

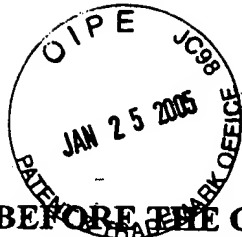
McDERMOTT WILL & EMERY LLP

A handwritten signature in black ink that reads "Wei-Chen Chen". The signature is fluid and cursive, with a period at the end.

Wei-Chen Nicholas Chen
Recognition under 37 CFR 10.9(b)

600 13th Street, N.W.
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Date: January 25, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**



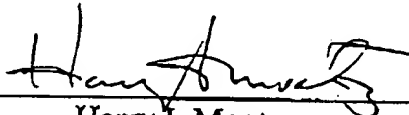
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR 10.9(b)

Wei-Chen Chen is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of McDermott, Will & Emery to prepare and prosecute patent applications wherein the patent applicant is the client of McDermott, Will & Emery, and the attorney or agent of record in the applications is a registered practitioner who is a member of McDermott, Will & Emery. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Wei-Chen Chen ceases to lawfully reside in the United States, (ii) Wei-Chen Chen's employment with McDermott, Will & Emery ceases or is terminated, or (iii) Wei-Chen Chen ceases to remain or reside in the United States on an H-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: March 1, 2005



Harry I. Moatz
Director of Enrollment and Discipline